1: Tew E-4 (no date) 1950 FT7 Yao FT7

Administration, but many cannot afford to do this. The people regard the taxes they pay to the Administration as a substitute for the chief's tribute. As the Native Authority the chief appears to be responsible for tax-collection, as the tax-clerk lives at the court.

The chief is responsible to the Administration, among other things, for latrine construction and for punishing the infringement of various regulations. His main duties are judicial, as judge of the Native Authority Court. The bureaucracy attached to the Native Authority includes a number of functionaries, e.g. Kawinga's, in 1947 one of the larger courts, had 1 court clerk, 1 assistant court clerk, 1 community worker, 1 forest guard, 1 agricultural demonstrator, 1 sanitary inspector, 9 court messengers, 2 caretakers, 4 garetta men, 1 market clerk, 1 market sweeper, 6 court assessors. These are paid by the Native Treasury. Court assessors help in the arbitration of cases. The key position at court is held by the court clerk, and usually he is not a Yao, but an Nguru, who, because he is literate, is the medium of all written communications to and from the chief. The court sergeant is the correct channel of approach to the chief, and the court messengers represent the chief to the villages.

The territory of a Native Authority is divided into 'administrative villages', under officially recognized and paid headmen. Within these areas there are clusters of huts, which do not form officially recognized administrative units, but which are none the less villages under their own hereditary headmen. The administrative village headman is responsible for the payment of taxes in his area, and for the observance of various regulations. He is usually a man with some standing in the Yao social system: one who has the right to conduct a boys' initiation ceremony, or to wear the head-band signifying rank. His authority is derived partly from his status as a senior kinsman, partly from his status as a village headman. If the administrative village under him includes a number of hamlets unrelated to the administrative village headman, he will delegate his responsibilities in these hamlets to their own headmen. Consequently, since village headmen perform administrative duties, whether they are officially recognized or not, there is competition among them for the official posts. In order to bring pressure to bear on the chief to make him concede marks of rank, they may threaten to move out of his area, and so to deplete his following. In spite of this bargaining tool, the position of the village headman *vis-à-vis* the chief is said to be getting progressively weaker. Cases once tried by them are now being taken to the chief's court, and the latter is able to draw on the power of the Administration to establish his dominance over the headmen.

The chief in the modern system stands as the representative of the people to the white Administration, and as the representative of the white Administration to the people. One reason for the lack of direct contact between the Administration and the people is the fact that Yao is not the official language of the district, and therefore Yao interpreters are necessary.

There are some occasions when the chief and his officials perform the functions proper to their office under the old social system. The white Administration is not concerned with their ritual functions, nor with initiation rites, nor does it take cognisance of witchcraft offences. Accusations of witchcraft are judged by the same personnel as accusations of theft or adultery, but they are not dealt with in the court house, nor recorded in the book.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

adhere to a headman whose position is fixed in an historically determined hierarchy.[1] Yet it stands the test of observation that there are in all tribes of this region small concentrated settlements of people who look upon themselves as groups, and who play an important part in the political activities of the community.

In my analysis of the social structure of the Yao, I have taken the village and tried to see it as a unit in a larger field of political relations. I have also tried to see it as a unit in itself, internally differentiated. I have taken the district under the jurisdiction of a Native Authority as the whole, the universe, which is to be resolved into parts. Before the British forces subjugated the tribes of Nyasaland, there had been a period of intensive tribal movement and intertribal warfare. Some groups had gathered around successful warriors and maintained their identity; others had been broken and dissolved by stronger forces. The British conquest ended the period of military adjustment, and for administrative purposes the country was divided into districts. Within these districts some adherents gathered around their former leaders while others preferred to remain where they were. Tribes such as the Nyanja, who were the original inhabitants, remained in residence; newcomers such as the Lomwe immigrated from Portuguese East Africa. But when the Administration later officially recognized chiefs in these districts it was the successful Yao invaders who were recognized and not the indigenous Nyanja or immigrant Lomwe.

While the war-making units of the Yao—the tribal groups under numerous chieftains—were broken up by the British forces, the smaller component units, the villages, survived. From early records and from the tales told by old men who can still remember something of the pre-White days, we know that the people have always lived in villages, though their structure has probably changed since those days. The villages were far and away the most important social units within any of the chiefdoms. The 'village' was and still is a key concept in Yao thought. I shall demonstrate later that it was the smallest group acting in the political field. At the same time it was, and still is, the field in which kinship was most significant. This is why I have taken

[1] Barnes, J. A., in his essay 'The Fort Jameson Ngoni', *Seven Tribes*, and *Politics in a Changing Society*, Oxford University Press for the Rhodes-Livingstone Institute (Cape Town, 1954).

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

797 176 because it was anxious to avoid the censure which its earlier colleagues had suffered. This Mission also felt it could not stand by and see cold murder done in front of its eyes. Yet fugitives came to it as they had to the U.M.C.A., so that the Mission, despite its unwillingness, was inexorably drawn into political relationships with the Yao in the area. The lay members severely punished certain wrongdoers. Eventually an African was murdered at the Mission. They tried the murderer, found him guilty, and allowed a local headman to execute him. The Home Authorities looked upon this action as a trespass from the Mission's proper function. The Mission suffered severe public censure, and several of the lay members were dismissed. It was clear that a Mission in the Territory could not be a mission alone; it could not escape the political implications of the situation, and for the success of its venture some civil authority had to be established.

The Establishment of British Rule

175 648 In the meantime Livingstone's publications were bringing the horrors of the slave-trade home to the people of Britain, and more and more pressure was exerted to bring it to an end. As a result, in 1878, Captain Elton, the Consul at Mozambique, obtained permission to conduct an expedition to Lake Nyasa to enquire into the slave-trade. The British population in the Shire Highlands was now increasing so much that in 1883 a British Consul was appointed. From then on, until the close of the century, Britain followed a militant policy against all slave-traders, amongst whom were the Yao. No active steps were taken to institute a formal government over the territory, until in 1889 the Portuguese appeared at the confluence of the Ruo and Shire Rivers with a large military expedition which they maintained was scientific. Accordingly, on November 21st, 1889, the Acting-Consul declared the territory north of the Ruo to be a British Protectorate. The next year, Mr. A. Sharpe made treaties with most of the Native chiefs in the area. These treaties were later ratified by the Anglo-Portuguese convention of June 1891. It is clear that the British Government was protecting the treaty chiefs against the slave-raiders, and ensuring that no other European power assumed responsibility for this service.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

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The pacification of Nyasaland after this was largely the suppression of the slave-trade. The Commissioner of the Protectorate (H. H. Johnston) wrote in 1891 :

> I felt bound to make our Protectorate of Nyasaland a reality to the unfortunate mass of people who are robbed, raided and carried into captivity to satisfy the greed and lust of the Yao race, these again being incessantly incited to engage in internecine war and slave-raiding forays by the Arab and Swahili slave-traders who travel between Nyasaland and the German and Portuguese littoral. The big men in this part of the Protectorate with whom it behoved me to deal and whom I must either persuade or coerce into acceptance of an anti-slave policy and sufficient subservience to the new administration as would put an end to further civil wars and inhumane practices, were the following:
>
> Makanjila and Kazembe, ruling on opposite coasts of the south end of Lake Nyasa.
>
> The Makandanje clan of chiefs (Tshindamba, Zarafi, Nkata) which dominates the country between the east bank of the upper Shire, Lake Pamalombe and the Portuguese boundary.
>
> Mponda, the powerful chief holding the Shire where it leaves Lake Nyasa, and possessing a large tract of country along its western bank.
>
> The Angoni chief Tshifusi, who dwells behind Mponda.
>
> Tshingwalu-ngwalu and Msamara, Yao chiefs along the western bank of the upper Shire, half-brothers and bitter haters of Mponda.
>
> Liwonde, chief ruling an exceedingly rich tract of land along the east bank of the upper Shire.
>
> Tshikusi, the great Angoni chieftain dominating all the hill country between the west bank of the Shire and the Portuguese frontier.
>
> Kawinga, one of the most powerful of the Yao chiefs who dwells near the north-west corner of Lake Shirwa and who commands a great slave-route to the coast, and lastly
>
> Tshikumba, who after being for ten years a roving bandit living on the plunder of the missionary caravans between Blantyre and the upper Shire, has at last settled down on Mount Mlanje to a steady career of slave-trading.[1]

Except for the two Angoni, all the chiefs mentioned are Yao, and three of them, Jalasi, Kawinga and Liwonde, were forbears of the chiefs in whose areas I made my study. The history of the Administration's activities of the next five years is almost

[1] *Papers relative to the Suppression of Slave Raiding in Nyasaland.* C. 6699 (1892). Commissioner Johnston to the Marquis of Salisbury, Nov. 24th, 1891.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

entirely a story of the subjugation of this list of chiefs. Acting-Commissioner Sharp wrote in his annual report in 1897: 'The Yaos . . . were the chief slave-raiders for the Arabs, and in consequence nearly all our expeditions for 1891 to 1895 were undertaken against various sections of this tribe.'[1] The British South Africa Co. had made available a sum of £10,000 a year for providing a police force. As early as 1891, a raid was made on Cikumbu, a Yao slave-trader who had attacked a European coffee plantation in the Mlanje area. After this, there was a continual series of punitive expeditions against various native groups, usually after some slaving incident which precipitated British action. Captain Maguire was killed in 1891 by Makanjila's men, and shortly afterwards the British forces suffered a reverse at the hands of Jalasi. Unsuccessful attacks had been made on Kawinga's stronghold at Chikala. In 1893, two contingents, each of 100 Sikhs, arrived, and with this force more active measures were taken to control the slave-route to Quilamane through Mlanje district. In 1894, the Yao chief Makanjila was attacked and thoroughly defeated. In 1895, there was a concerted effort by the chiefs Kawinga, Jalasi and Matipwiri to oust the British from the Highlands. This commenced with an attack by Kawinga on the friendly chief Malemia, in Zomba area. A force was sent to protect the Missionaries at Domasi, and it stopped the main onslaught. After that, the stronghold of Chikala was scaled and Kawinga completely dislodged. He retreated to the east, and Matipwiri and his relative Mtirimanje were captured. The power of these chiefs was completely broken and no more expeditions were necessary. In 1896, Katuli, a neighbour of Jalasi's, was captured and in the same year Liwonde, who had so far eluded capture, was apprehended and sent as a political prisoner to Chiromo in the extreme south of the Protectorate.

In the meantime the Portuguese were making similar punitive expeditions into the region due east of the Protectorate, and many refugees came into the Territory from Portuguese East Africa. Notable amongst these were the Mpotola groups under Chikweo and Ngokwe, who are to-day settled near Lake Chiuta.

In those parts of the Territory where military action was no longer necessary the framework of the Administrative system was

[1] *Annual Report, 1896.* C. 8438, p. 12.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

soon erected. As early as 1893 the Protectorate was divided into Administrative divisions and Collectors were appointed in each. Coinage was issued; a hut tax of 3s. was introduced; European claims to land and mineral rights were settled with the chiefs—all large estates were issued with certificates of claim; and a postal system was initiated. The old order of independent chiefdoms had gone for good and the Africans had to adjust their way of living to a new order.

The Village as a Unit in pre-White Times

Though there are earlier records of villages among related tribes, the earliest we have of the Yao are those of Livingstone.[1] In the records of his journeys up the Shire and the Rovuma Rivers, he states that the people lived in villages. Rowley's reports[2] of the Shire Highlands in 1861 show that the Nyanja were organized in villages similar to those of to-day, but the best reports on the Yao village are by Duff MacDonald, who worked as a missionary in the Shire Highlands and the Zomba area from 1878 to 1881. Duff MacDonald published both a general ethnographic account of the Yao around Blantyre and a journal of day-to-day events on the mission. From these descriptions we are able to reconstruct much of the political organization of Yao groups before the Whites came to Nyasaland. Though the information from these early accounts about the internal structure of villages is scant, the reports of the importance of domestic slavery are good, and this is valuable in assessing its effect on the internal structure of modern Yao villages.

From MacDonald's description it appears that each Yao chiefdom was a congeries of almost autonomous villages. The headman of these villages recognized the superiority of one of their number whom we may call 'chief'. The unity of each village and its corporateness were expressed in many ways. One of these was in connection with the worship of ancestor spirits. MacDonald writes:

> [The village headman] is the recognized high priest who presents prayers and offerings on behalf of all that live in his village. . . . It

[1] Livingstone, D. and C., *Narrative of an Expedition to the Zambesi and its Tributaries, and of the Discovery of Lakes Shirwa and Nyassa. 1858-64*, John Murray (London, 1865). Waller, *Last Journals*.

[2] Rowley, *The Story of the Universities Mission*.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

tenance of the whole state under a new king,[1] but the Yao political units seem to have split into two factions when divisions appeared within them. The dissident faction left the parent chiefdom and established itself somewhere else as an independent entity.

The picture my informants have given me substantiates MacDonald's account, though his contact was mainly with Mangoche and not with Machinga Yao. My informants, however, placed greater emphasis than he did upon the importance of trade with the coast. A slave-trading trip was not a venture which the ordinary village headman could undertake with equanimity. The journey to the coast, to Quilimane or to Kilwa, was long and arduous, and strong military protection against bandits was needed. A caravan could only be sent by a chief or someone of like status, so that the coastal trade became the monopoly of the chiefs. Headmen who had ivory and slaves to send to the coast included them in the chief's caravan. When it returned, the headmen were able to collect calico and beads to the value of their contribution. Gun-powder also seems to have been a chief's monopoly. Thus, in fact, he did have some physical control over the military activities of his subject village headmen, since he could withhold supplies of gun-powder if he wished. But in a society where minor chieftains were inimically poised against each other, the maxim 'a chief without people is nothing' had much more significance than it has to-day: a village headman's ultimate sanction was that he could withdraw his support from one chief and give it to another.

The Effects of White Conquest

It was into a society thus organized that the first Missionaries came. I have already described how the Missionaries, by taking in runaway slaves, and by occasional armed combat, entered into political relationships with the chiefs. With the establishment of the Protectorate, the policy, clearly expressed in Sir Harry Johnston's letter,[2] was to stamp out slavery. This was done in numerous campaigns against the Yao chiefs [3] so that by

[1] See Gluckman, M., 'Succession and Civil War among the Bemba: An Exercise in Anthropological Theory', *Human Problems*, xvi (1954), 6-25.

[2] See f.n., p. 29. [3] See Chap. II, pp. 29-30.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

1896 the superior British militia had completely subjugated all the Yao chiefs who had resisted them.

British power initially became merely an element in the political relationships of chiefs: they used it against their rivals, as Kalembo used it against Cingwalungwalu,[1] or Malemia against Kawinga. Yao chiefs did not unite in the face of their common enemy.[2] As the campaign against the slave-traders progressed, however, Yao chief after chief fell to superior British arms. They, who only a few years earlier were accepting the submission of refugees, themselves had now to 'grasp the leg of the White people'.

It is clear that they looked upon their submission to the Whites in much the same way as they looked upon the submission of refugees to themselves. To submit to a man was to accept slave or near-slave status. According to informants, Kawinga sent a large tusk of ivory [3] to the British as a placatory gift. His ceremonial knife, and the knives of his important headmen, were taken from them by Robert Codrington, Assistant Collector of the northern part of Zomba.[4] A chief with whom I was once discussing slavery expressed neatly the attitude of the Yao chiefs to their subjugation. He said: 'There is no slavery to-day—we are the slaves of the Government'. The chiefs who returned to the Protectorate, therefore, returned as subjects, and were fully aware of this. In the new regime, the former chiefs had to recognize a superior authority and the British Administration provided the framework within which the old rivalries had to be rephrased.

The chief's position in relation to his subjects as a result of this catastrophic change was, of necessity, weakened. When the slave caravans stopped, the chief's source of wealth disappeared, and with it much of his power. He was no longer much wealthier than his subjects. The wants of the people could now be more easily satisfied by the numerous trading stores which

[1] Mitchell, J. C., 'The Political Organization of the Yao of Southern Nyasaland', *African Studies*, viii, 3 (Sept. 1949), 141–59.

[2] Johnston maintains that Matipwiri, Jalasi and Kawinga had planned a joint attack against the British in 1895. If this is so, the attempt was completely unsuccessful. See Johnston, H. H., *British Central Africa*, Methuen & Co. (London, 1897), 130. See p. 30.

[3] *The British Central African Gazette*, ii, 18 (Nov. 15th, 1895), reports that Kawinga sent in some ivory as 'indemnity' but was told to pay more and to send in 60 more guns.

[4] They are to-day in the Southern Rhodesia National Museum, Bulawayo.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

began to appear in the Territory. The chief in this situation had the same wants as his subjects but was in no way able to satisfy them. He was precluded by his position from becoming a labourer and thus securing a cash income, while his subjects, until recently dependent on his monopoly for their wealth, had been drawn into the new economy of the Protectorate and were comparatively affluent.

The cessation of warfare and slavery thus affected the prestige of the chiefs seriously. The Administration's policy was at first to impose a fine of guns on those who broke rules. In July 1894, for example, Chapola village on the south-west corner of Lake Malombe was fined 30 guns for being in possession of slaves.[1] Later the Administration introduced an ordinance requiring the registration and licensing of guns, and many guns were confiscated on account of breaches of this regulation. Not only were the Yao disarmed, but the Administration also punished those who broke the peace. At the same time the Government was pursuing an active policy against domestic slavery. For example, in the village of Chapola mentioned above, 26 slaves were released. The slaves, formerly bound to their masters by the physical sanction of being liable to death at his hands in cases of desertion, were now liberated. It is not surprising to find the Collector at Mlanje reporting, in 1895, that the power of Kuntirimanja and Matipwiri was failing, and that they were losing people.[2]

Statements of informants confirm that slaves were then starting to leave their erstwhile masters to set up villages of their own. In 1904, the Administration reported: 'The tendency is for the old large communities to be broken up; for the small man to collect a surrounding of friends and go off and build new hamlets in other localities'.[3]

From my own investigations, there appear to have been two possible reasons for this. First, communities may formerly have lived in consolidated groups in order to protect themselves from slave-raiders and other assailants. With the disappearance of the slaver and of war, the bond of the need for security would,

[1] *B.C.A. Gazette*, i, 10 (July 28th, 1894).
[2] *B.C.A. Gazette*, ii, 8 (June 15th, 1895).
[3] *The Annual Report of the Territory, 1903–4*, quoted by S. S. Murray (ed.), *Handbook of Nyasaland*, Crown Agents for the Colonies (London, 1932), 188.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

175 567 621 648 therefore, be weakened, and the component parts of the village scattered. This is what the Administration argued when it wrote about the split-up of communities: 'This tendency is to some extent gratifying, in that it originates in the native's sense of his complete security under the existing Government.'[1] I have not much evidence that this is true, and in fact do not think it is. Second, there is little doubt from my village histories that the slave-groups attached to various village headmen were deserting their former masters and setting up independent villages.

175 361 621 648 It is significant that the report speaks of the 'old large communities'. Duff MacDonald, writing of the Blantyre area in the period 1877–81, says: 'Usually the natives live in small villages containing 10 or 11 huts, occasionally in large villages containing three times as many. They do not like to pack themselves closely. In time of peace few villages contain more than 100 people.'[2] Hynde, writing of the Domasi area, says: 'Sometimes a village consists only of five or six huts; more commonly twelve or twenty and rarely above thirty. The chief's village at Domasi consists of more than 100 houses but that is an exceptional case. The villages occur at intervals of quarter to one mile.'[3] In July 1895, the Collector at South Nyasa made a census of all the villages on the west bank of the Shire (64 villages). These were mainly Yao, but also included some Nyanja. The modal size of villages, calculated from his published figures, is 26 huts.[4] The reports of MacDonald and Hynde agree well, although they describe different areas. The Collector's average was slightly larger, but one is not sure that he has not included two or three settlements under one headman. A village, Changali, was marked as having 217 huts, but a note indicated that they were scattered. Also the numerical accuracy is not above question because a large proportion of hut totals end in 0 or 5, indicating estimation rather than enumeration. From my own observation, the arithmetic mean of a sample of 37 villages in two separate areas was 11 huts (mode was 8 huts).

It seems, therefore, that the optimum size for Yao villages has always been about 10 to 15 huts, and that the disintegration

[1] *Annual Report of the Territory, 1911–12*, Murray, *Handbook*, 128.
[2] MacDonald, *Africana*, i, 145.
[3] Hynde, R. S., 'Among the Machinga People'.
[4] *B.C.A. Gazette*, ii, 3 (Sept. 1895).

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

noted by the Administration in 1904 was in fact the break-up of larger communities under important village headmen. These communities were, as is evident from MacDonald's writings, largely made up of slaves and their descendants. In the light of the internal structure of modern villages, I believe that the fragmentation going on at that time was due to the breaking of the bond between captor and slave—a bond formerly reinforced by physical sanctions that included the killing of a slave by his captor. Therefore, while the groups thus linked to the headman may have moved out of his village, his matrilineal kinsmen, who were bound to him by bonds of deep sentiment and religious beliefs, remained. The irreducible 10 to 15 huts were therefore likely to have been those of the headman's own matrilineal kinsmen. When the Administration ascribed the continuing tendency all over the Protectorate to the splitting up of villages into small family groups [1] it was probably describing the splitting off of descendants of slave-wives to found villages of their own. While this process of readjustment was going on, the Administration stepped in with legislation designed to control what it considered to be unchecked social disorganization. The Administration spoke of the necessity to

> build up an organization to control the rising generation of natives who, finding themselves without the restraining influences to which their parents were accustomed, have of recent years evinced an inclination to emancipate themselves from the disciplinary responsibilities of village life and obedience to authority, and to adopt habits prejudicial to native family life.[2]

To accomplish this task the Government introduced the District Administration (Natives) Ordinance of 1912. This was the Ordinance about which the Administration wrote in 1913:

> Framed, as it has been, in accord with native ideas and practice, it is a measure which none the less avoids the defects of the archaic system of tribal rule and which has as its aims the gradual formation of a subsidiary local government by means of Sectional Councils of Headmen chosen as far as possible by natives themselves and presided over by the District Resident.[3]

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[1] *Annual Report, 1911–12*, Murray, *Handbook*, 128.
[2] *Annual Report on the Protectorate for 1912–13*, Murray, *Handbook*, 129.
[3] Murray, *Handbook*, 129.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

175 621 648 Under this Ordinance, the Administration provided first of all for the formation of 'villages'. A Rule made under Section 3 of the Ordinance and published in Gazette Notice No. 113 of 1913, gave the Resident the power to concentrate the native population, where necessary, into organised villages of not less than 20 huts and to disallow the erection of isolated huts. 'In order to give effect to this policy the erection of new huts was to be confined to existing villages, and the occupants of isolated huts were to be instructed to remove, as opportunity offered, to an approved village.'[1]

175 622 648 The Ordinance then proceeded to create a line of authority from the District Resident to the villagers through Village Headmen and Principal Headmen. Districts in the charge of Residents were divided into Administrative Sections. A Principal Headman was put in charge of each. The Sections in turn were sub-divided into Village areas (groups of villages), each in the charge of a Village Headman.

Under the Ordinance, Principal Headmen and Village Headmen were given specific duties and responsibilities in their respective areas. The Principal Headman, for example, was:

> to be responsible for the good order of his Administrative Section, the maintenance of discipline, the reporting of crime and the apprehension of criminals, sanitation, the control of the movement of cattle, reporting outbreaks of epidemic disease, and for any other matters in the interest of law and order and the general welfare of the native community.[2]

The Principal Headman was also to 'secure the attendance at the Magistrate's court of natives whose presence was required in connection with deceased estates, remittances, government labour and so on, and to exert his influence to accelerate the payment of hut and poll taxes'. These duties in turn devolved upon Village Headmen—they were responsible for their smaller areas as the Principal Headmen were responsible for the larger.

Unfortunately we have no information about the way in which Principal and Village Headmen were chosen. Murray records that

> Residents were not necessarily to recommend those natives who had hitherto been recognized as Chiefs or Headmen. It was considered

[1] Murray, *Handbook*, 132.

[2] Murray, *Handbook*, 130.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

that in some cases the previous records or age of such persons would be found to be such as to preclude their selection to transact the responsible duties of Headmen under the Ordinance, and in such circumstances Residents were to consider the claims of other natives of good standing, intelligence and reputation residing in the section, who, having assisted the Resident in native administrative matters in the past, might be expected to carry out the duties efficiently, and who, at the same time, were known to enjoy the confidence of the natives with whose supervision they were entrusted.[1]

Elsewhere Murray writes, 'The system introduced by the Ordinance was in no way intended to revivify or perpetuate government by native chiefs. The position of Principal Headmen under the Ordinance was in no sense to be similar to the archaic one of the chief.'[2] Yet in the area in which I worked it was precisely the traditional chiefs who were made Principal Headmen—Jalasi, Nyambi, Kawinga, Liwonde and Malemia. In retrospect it is difficult to see how it could have been otherwise. Considering the sentiment attached to the chief in Yao society, it seems scarcely possible to conceive of leaders who 'enjoyed the confidence of the natives with whose supervision they were entrusted' who were not chiefs in the traditional sense.

In spite of its avowed intentions not to 'revivify or perpetuate government by native chiefs', the Administration proceeded to invest the traditional chiefs with its own power. 'Residents', Murray writes, 'were to indicate carefully by their attitude towards and dealings with Principal Headmen the fact that they were officially recognized as chiefs of their respective sections and that, as such, they were entitled to the respect and obedience of their people.'[3]

It would be wrong to imagine that the military actions at the end of the last century had completely destroyed chieftainship. Those who had resisted the Whites were driven out of British Territory but were allowed to return very soon afterwards. These chiefs then took up the threads of their life as best they could under the changed conditions. The degree to which the new Administration had become a force in Yao politics is illustrated by an entry in the District Book in Zomba. Kawinga III had died in August 1905, and the record reads: 'There were two

[1] Murray, *Handbook*, 131.
[2] Murray, *Handbook*, 130.
[3] Murray, *Handbook*, 130.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

claimants to the succession, Kumlomba and Chiwalo. Their claims were really very equal and His Majesty's Commissioner (April 1906) called in Kumlomba and the most important headmen and decided the succession by their vote.' District Books have many entries dating before 1912 showing that the Administration did not consider chiefs and village headmen insignificant.

The appointment of village headmen needed the approval of the Provincial Commissioner, but presumably the recommendation came from the District Resident. It is reasonable to suppose that the District Resident in turn had discussed appointments with the principal headmen. Whatever the mechanics of the appointment, however, the outcome was that most village headmen who held positions of prestige in the indigenous system of ranking became village headmen under the Ordinance.

The District Administration (Natives) Ordinance thus made official the unofficial relationship which had previously existed between the Administration and the chiefs and the village headmen. The traditional relationship of chief to village headman and village headman to villager, however, became suffused with a new significance. These relationships had become part and parcel of the extensive administrative organization of the British Empire.

The Modern Administrative Structure[1]

The Native Authority Ordinance of 1933 and the Native Court's Ordinance provide the legislative framework for the modern administrative system. Under Section 23(*a*) of the Native Authority Ordinance, the rules, orders, proclamations, notices and appointments made under the District Administration (Natives) Ordinance were not repealed. The duties which had so long been incumbent upon chiefs and village headmen, therefore, continued unaffected.

The chief, however, was set up at the centre of a bureaucracy and given autonomy in a number of directions. The Native Court's Ordinance gave him legal powers to inflict punishment on his subjects; the treasury under his authority could raise

[1] I have dealt in some detail with the position of the chief in the modern situation in my article 'Political Organization of the Yao of Southern Nyasaland'.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

funds and could spend them. The chief could make rules and regulations in specific matters.

Burnt-brick court houses, burnt-brick offices and clinics have appeared at the traditional headquarters of the chiefs. A court clerk collects court fees and fines, issues receipts and records the cases in a register. A tax clerk issues licences and collects taxes, receives correspondence addressed to the chief and writes the chief's replies. In addition, there are other functionaries—community workers, forest guards, agricultural demonstrators, sanitary inspectors, market clerks, well inspectors and so on.

In other words, the position of the chief is becoming more and more that of an administrative head-of-department.[1] His position *vis-à-vis* his subjects is coloured by this. The chief is at once the people's representative to the Administration and the Administration's representative to them.

[1] Compare Barnes's statement about the Ngoni: ' the great warrior chief has become in effect the only member of the Administration who never goes home to Britain on leave '. Barnes, J. A., *Politics in a Changing Society*, 172.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

compounds, especially in areas where there are man-eating lions,[1] so that it is no longer an infallible indicator of the hut-owner's rank.

Minor village headmen always allow their superiors to sit on a chair. If village headmen of commensurate status are present, chairs may be sought for them all. But a minor village headman never occupies a chair, even if one is available, in the presence of his superior. At a meeting, for example, a chief occupies a chair and so may his most important *ndona* or councillor. The more important headmen sit alone on separate mats, for a man only shares a mat with his equals, and them only rarely. Junior headmen, however many there are, have to try to squeeze themselves on to one mat or squat on the ground.

Important headmen also have the right of walking in front of their juniors. If there are three or four headmen returning from, say, a court case, they arrange themselves in the pathway in an order which reflects their rank. As they file down the narrow field paths the leader is the most senior among the group. After him come the other headmen and last of all the commoners. This order of precedence is also followed when initiands pass through the tribal initiation ceremonies. The sisters' sons and other matrilineal descendants of important headmen precede those of the less important headmen. At Chiwalo's hut also, I have noticed that the more important headmen sit under the verandah while listening to private cases. The less important headmen sit with the commoners under a shelter or out in the sun.

I have been discussing the visible marks of prestige. But high rank also tends to carry with it some other privileges which are not immediately observable. The most obvious is Government recognition. I have already mentioned that under the 1912 Ordinance, village headmen were recognized by the Administration. These Administrative village headmen, who had certain duties to perform, were paid a small annuity and were in earlier days given a 'book' in which the tax payments could be recorded. To-day, the Yao still describe Government recognition as 'having a book'. Administrative village headmen derived more benefit from Government recognition than merely an

[1] The huts in Plate IX (*a*) and (*b*) are in Nanweno area where there are man-eating lions. Most huts have compounds. A large proportion of huts in areas where there are no lions also have compounds.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

622 554 648 annuity. This recognition publicly announced their superior status, because not all headmen could be Administrative headmen. We do not know exactly how the Administrative headmen were appointed when the Ordinance was introduced. The observable results, however, are that no headman, as far as I am aware, who was of superior status in the indigenous ranking system, is not an Administrative headman to-day. Being an Administrative headman is then in itself an indicator of rank.

622 554 643 415 969 881 Rather more important than this is the right to hold initiation ceremonies. MacDonald says that these rights were held by the chief only, but it is not clear whether the word 'chief' used here refers to the village headmen or the 'chief of the land'. Nowadays, the rights are held by village headmen as well as the chief. The right to hold initiation ceremonies is signified by the possession of a small flat basket (*ciselo*) in which the oblational flour for the ceremonies is carried. When a chief grants a *ciselo* or oblational basket to a village headman, what in fact he does is to grant him permission to approach the spirits of his ancestors. The headman uses the basket on three occasions during the initiation ceremonies. First, before the ceremony is announced he pours a little cone of sorghum meal at the root of a special tree in or near the village. This tree is known as the *nsolo*, or the shrine-tree where all offerings to the ancestors are made. While he works the flour through his fingers to allow it to fall in a cone, he calls on his ancestral spirits and asks them to intercede on his behalf with the spirits of the chief's ancestors. He then formally requests permission to hold the initiation ceremony. This cone is left intact through the night. Should it collapse the interpretation is that the spirits are not willing that the ceremony should take place and it is postponed for some days. Offerings are made until eventually the cone, by remaining intact through the night, indicates that all is propitious for the ceremony to be conducted. The second occasion when the oblational basket is used is when the village headman or chief goes down to the grass sheds where the rites of segregation and aggregation take place. Here he pours flour over a twig and begs the safe conduct of the initiands through this physically and mystically dangerous period. Third, each individual initiand, and his or her mother, is touched on the forehead and forearm with the flour on the evening that the initiands leave for the grass sheds. During

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

Arabic greeting to their seniors. This is done by placing the left hand on the chest and bending slightly forward to the village headman, saying, '*Subaye*'. The senior should then respond '*Alaye*'. Also, important headmen are usually buried in the centre of the village, not in the common graveyard. The tomb of an important headman or personage, usually built of stones, concrete or brick, is called *nsati*. The right to bury in the village must be obtained from the chief 'because the land is his', and in Kawinga's area a fee of 6*s*. must be paid to him.

The Struggle for Government Recognition

Thus far, I have been discussing the ways in which the rank of village headmen may be expressed. I now describe the way in which these marks of prestige are associated in the three categories of headmen we have distinguished, and in what way the competition between them is phrased. I have already described how all the chiefs in the areas to which I am referring are all successors of the original leaders of the invasions, and are usually the present Government representatives or Native Authorities.

The people must recognize the rank of chief because mystical beliefs prescribe activities in one direction, and because the limiting structure of the White Administration does so in another. A village headman cannot hold initiation ceremonies without the permission of the chief because of the mystical sanction, but the chief also has legal authority over his subject headmen. He as Native Authority is recognized by the Government and is its representative to his people. The Native Authority Ordinance (1933) specifically imposes penalties on those who do not recognize the authority of the chief. Under Section 12 of the Ordinance, the Native Authority may arrest without warrant any person who is accused of failing to obey his order or direction, interferes with his lawful duties, professes to be a chief or assumes the duties of a chief without Government approval. Under Section 13(*f*) severe penalties are imposed on any person who conspires against or in any way attempts to undermine the lawful power and authority of any chief or Native Authority. His position is therefore greatly strengthened against the village headmen and I have been told of one or two prosecutions by chiefs under this section. Nowadays, the mere threat of

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

632 643 559 648 action under this Ordinance is sufficient to cow his opponents. Therefore, the chief may also control the rise to power of his headmen because he is a Government official. At the same time a village headman may not move away to form a chieftaincy of his own: should he migrate with his followers nowadays, he will always find himself under a White system of Administration which upholds some other chief against him. The rank system must operate within a circumscribed framework and in reference to the chiefs.

632 559 648 I have already mentioned that being an Administrative village headman is a mark of prestige. Most of the struggle for rank revolves around this axis. Under the 1912 Ordinance, village headmen were only recognized if they had at least 20 taxable huts under them and they were paid a small annuity proportionate to the number of their taxable huts.[1] Before a headman could be recognized, therefore, he had to gather around him at least 20 tax-payers. After a headman had been recognized, the more villagers he could attract the higher his annuity. This situation is one with which the Yao headmen were long familiar. It is indeed the same process that went on before the Whites came, and that was outlined so clearly by Duff MacDonald, except that it is now cast in slightly different form. In consonance with the new money economy, superior status, marked by more dependants, brings a higher financial reward. But it would be false to imagine that the prospect of financial gain is the only spur to a village headman's attempts to enlarge his following. A headman of a large village as such, is still a 'big' village headman.

632 643 559 648 A headman who has sufficient followers to enable him to press a claim for a 'book' goes to the chief for it. The chief considers the merits of the case, but is unwilling to grant too many 'books' in his area. If he supports the claim the matter is referred to the District Commissioner, who considers the application, not in terms of the indigenous struggle for rank, but in terms of general Administrative considerations, such as finance,

[1] A definite rate of remuneration was fixed in 1918: it was computed at 12s. for every 500 taxes. See Murray, *Handbook*, 142. Under the 1933 Ordinance the remuneration was fixed at 2d. per 6d. tax of 6s. to a village headman and 1d. per 6d. to a Native Authority. *Report on Native Affairs for the Year Ended 31st December 1933*, Government Printer (Zomba, 1934), p. 3.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

and the ease of administering groups with centralized authority. If he agrees, the necessary alteration is made in the tax-registers, and the new Administrative headman is paid his annuity and is called up by the District Commissioner whenever he holds a meeting. To the District Commissioner the chiefdom is made up of the villages on the tax-register, and in a situation of political importance he calls on the headmen of those villages for decisions. For example, when a chief was being installed, the District Commissioner called each Administrative headman forward and asked him whether he agreed to the succession. When the District Commissioner wishes to discuss any matter with a villager he calls forward the Administrative headman. The position of village headmen in the political structure becomes more effective after they have been recognized by Government.

I have no accurate measure of the proportion of all village headmen who are recognized by Government. From my records the percentage of Administrative village headmen out of the total of recognized village headmen is:

	No. Admin. Villages	% of Total recognized
Kawinga	160	84
Liwonde	104	71
Mpasa	30	48
Chikweo	48	43
Ngokwe	21	40
Chamba	61	39

I have full records for the smaller chiefdoms, Mpasa, Chikweo, Ngokwe and Chamba, but I know for certain that the figures for Kawinga and Liwonde are incomplete. My fullest and most reliable records are for Ngokwe and Chikweo, so that we may estimate roughly that less than half of the village headmen are Administrative village headmen.

Naturally the village headman, whose taxable population will be reduced by the granting of a new 'book', opposes this in the same way as his ancestor opposed the emigration of his village members in pre-White days. In 1947, in Jalasi's area for example, there was an argument hinging on this.

3: Stanton D-5 (ca. 1912) 1922 FT? Yao FT?

That these several sections of the Wayao differ in many respects may be seen by comparing the Amanganche of *Africana*[1] with the Amachinga of this article. I am not sufficiently conversant with the Amanganche to make a definite statement on this point but I am inclined to believe that after longer residence and wider knowledge, Mawkenzie would have found that some of his statements needed revision. Those whom he considered the "Yao people" but whom I prefer to speak of as the Amanganche seem to have a considerable admixture of Anyanja, since their language contains many Chinyanja words and many of their customs are practically those of the Anyanja. I am of the opinion that the Amachinga may be regarded as more typical of the Wayao, and except where ambiguity might arise, I shall speak of them as the Yao.

The original home of this Bantu speaking people is uncertain; in historic times all the sections of the Wayao were originally grouped in that part of Portuguese East Africa around the hill called Chao, whence they probably derived their name, *Wa Chao* or *Wa Yao*. About the middle of the nineteenth century, as the result of inroads by neighboring tribes of Alolo from the southeast, and raids by the Makwangala, a branch of the Angoni of Zulu origin, from the northwest, disruption of the Yao people occurred, and the divisions mentioned above, moved toward Nyasaland. The Mamalinga branch settled for the most part along the eastern shore of Lake Nyasa but a sub-section known as Tambala Yao reached the west side of the lake. The Machinga made a settlement near Lake Chirwa under a number of old chiefs, including Malemya (Nakotumbo), Kawinga, Chamkoka, Kalimbuka, and Mlauli.

The descents of the Makwangwala again caused the Wayao to move on from Chirwa to Namianga on the Mlosko stream. Here Malemya suffered another defeat at the hands of the Angoni; many of his people were driven off and taken to the neighboring Angoni country where they were held in captivity for some time. Finally they were restored by the enterprise of one of Malemya's old men, Kalungula, who went alone to the Angoni, saying that he wished to live with them and with his own brethren. One day, he asked the Angoni if they would like to see their captive dance, and when they assented, he called the Yao together, and clapping his hands to keep time, he began to sing one of their dance songs. Gradually he gathered all the Yao into the village open square, dancing and singing; then, keeping to the same air, he told them why he had come, using their own language which the Angoni did not understand. "Malemya, our chief, remains at the Mlosko stream. It is not far off. We must all join him again. Now dance for joy. If anyone does not return there, it is his own fault." Then, a few at a time, the dancers left the crowd and stole away into the bush and, as night came on, they all made off and reached Malemya's camp in safety.

Malemya's people were again attacked by the Angoni, and on this occasion they defeated their enemies. The Angoni retreated and skirting Zomba mountain, reached the third

[1] Mackenzie, op. cit.

3: Stanmore D-5 (ca. 1912) 1922 FT7 Tao FT7

River at Mpindi where they intended to settle. Here, an old chief, knowing that their presence would cause trouble, persuaded them by tales of many cattle far away on the other side of the river, to cross over, and there they remained.

Kavinga and Mukenya, then, to avoid further raids from the north went down to the Upper Shiré River near Lake Pamalombe, Kavinga going to Mvera, while Mukenya stayed on the east side of the river among the Anyanja, claiming friendship with them because they have many of the same clan names. Later, Mukenya moved up to the highlands about fifteen miles north of what is now Zomba, and Kavinga went to Chikala. Mukenya was friendly with the Anyanja chief, Chanyasi, who was of his clan, and was therefore able to buy from him for a red blanket all the country from the Libwazi stream to the Namadzi River, a district thirty to forty miles long. There his people settled.

Kavinga was once again attacked by the Makwangwala from the north, but beat them back, after which they returned to the country whence they came — German East Africa near Lake Nyasa. The Angoni chief was killed in this battle, and the story goes that two Yao captives were told off to carry the eviscerated body back to the Angoni country for burial. As they were not provided with food for the journey, the two men began to eat the corpse. After several days, this was discovered; one of the men was killed but the other escaped to tell the tale. These were barbarous days, and the Yao relate that after raiding a village, the Angoni would leave a pot cooking on the fire with the body of a child in it, well covered with beans, so that when they had gone away with their booty and the villagers who had taken refuge in the forest returned hungry, they would start eating the beans and then come upon the body of the child, and having eaten of the *juices* of a human body, they would have committed a terrible sin.

The immigration of the Amawinga into the country around Mangoche mountain caused the Amangoche Yao settled there to move. They passed into the Blantyre and Mlanje districts, and invaded the country of the Anyanja. The chief, Mukenya, known as Nakumtumbo died about 1880, and was succeeded by his nephew, a sister's son, according to the Yao customs. This nephew, Wandaleona, then took the name of Mukenya.

In consequence of this succession, there was considerable bad feeling between Wandaleona and the other aspirant to the chieftainry, his cousin, Kumtanja. The latter moved down to the plain below Zomba mountain to the south, where he gathered about him a band of friends and malcontents. Mukenya decided to attack him and with this purpose, sent two messengers, *Nkapiti* and *Mayembela*, *asking Chikusi and his Angoni to come and* do the job for him. Led by Nyamoka, Nyemtuli, and Kalanji, the Angoni came from the Shiré River opposite Blantyre, via *Matope*. They attacked and routed Kumtanja who, owing to the thick country, managed to fall back with most of his people toward Lake Chilwa. Here he was received by his cousin, Chimvembe, a son of Nakumtumbo, and father of my interpreter, Chavuga, who ruled among the Anyasa. Afterwards, he moved to Mpindi on the Shiré where he built a stockaded village.

* Died July 14, 1914

3:Stannus D-5 (ca. 1912) 1922 FT7 Yao FT7

After the defeat of Kumtaja, Chikusi and his Angoni routed Kumtumanja, a brother of Malemya, who had also been making a nuisance of himself. Kumtumanja, who suffered from a large hydrocoele, is supposed to have lost his balance on account of this impediment, and fallen into a stream where he had stopped to drink and to have been drowned.

The Angoni still burned for more warfare, and Malemya, fearing that with his work done, they might prove a nuisance to him, turned them on to the Amanguche Yao around Blantyre. Thither they set off on a raiding expedition and returned to their own country via Chirandulu. This raid took place in 1884.

During the next few years, Kawinga, who had always held a grudge against Malemya for having got ahead of him to the best country, occupied the chief with raiding and warfare. In 1891, Wandalama died, and was succeeded by Chisala, the son of his sister, Chiéguve, and at the present time, he is the reigning Malemya.

It is of these Amachinga Yao under Malemya that the following notes are written. I have gone at some length into the history of these people in order to disarm criticism by those who, familiar with other sections of the Wayao, may not agree with all my statements.

Life History. Generally speaking, the life of the Yao native in the old days was full of care spiced with the excitement of intertribal warfare. He cultivated his crops, kept a few goats and chickens, and relieved the monotony by hunting. Even domestic slavery was not a great hardship, nor did the Yao probably suffer from coast slave-raiding to the same extent as many other tribes. As children, they are wont to spend their days free from care, seldom reprimanded, and rarely or never physically chastised. During youth, the same easy lot is theirs, with the addition from time to time of a few small tasks; minor household duties for the girls, such as drawing water, sweeping the hut, and "minding" the baby, while the boys hoe or fetch and carry for their fathers in the village or in the bush. Left to their own devices, they play games,[1] dig out rats' nests, or shoot birds with bows and arrows.

Now, as formerly, when they are about five years old, the girls usually go to live with their grandmother who may thus have a number of children around her; or several girls of a somewhat more advanced age may sleep together in a hut dormitory. Boys of this age all live in a big hut called *nyumba ja chachanda*, "the boys' dormitory." This is their quarters until one by one they leave to get married. The girl, similarly, remains in the girls' dormitory or with her grandmother until she is taken in marriage.

Puberty. The first interruption of this placid life of youth is the onset of puberty or the first initiation ceremonies.[2] Formerly, these ceremonies took place after puberty but of late years, as is pointed out elsewhere, they are performed much earlier.

Child betrothal. Betrothal in childhood or before birth is not uncommon. A woman learning that some friend of hers is pregnant will arrange that if a girl is born, her son will marry the friend's daughter, or a man taking a fancy to a little girl will select her as his

[1] Vide infra, p. 307. [2] Vide infra, p. 240.

8:Mitchell E-5 (1946-1947) 1949
[P. 145A]
FT? Yao FT?

III. THE ENTRY OF THE WHITES

175 797 649 The first settlements in Nyasaland were in the Shire Highlands where a Church of Scotland Mission was built in 1876. In 1878 the African Lakes Company was founded to take over the trading activities of the Mission. As the White population grew the necessity for some non-missionary organization to regulate the relationships between Africans and the growing body of White settlers, who now included planters and traders as well as missionaries, became more and more pressing. Eventually in 1883 a British Consul was appointed. In 1891 to meet the activities of the Portuguese, a Protectorate was established and the military measures that had been proceeding against the slave traders were now intensified.

175 648 The military police used by the British authorities had arms which the Yao could not withstand, and even the most successful of Yao military groups was soon destroyed. Breech-loading rifles outshot the Yao's muzzle-loading guns and cannon were also used by the British in some actions. The British had a force of Sikhs well-trained in military manoeuvres. Even the previously impregnable Mount Cikala, so long held by Kawinga and his forces, was successfully assaulted. The superior arms of the British left an indelible impression on the Yao who had long conducted successful military campaigns, and in due course these arms came to be identified with the force of the value system of the Whites. One of the more immediate results of the success of White armaments was that certain Yao chiefs seized the initiative and used the British forces as a tool in their own political machinations. The history of the rise of Kalombo, although his country is outside the area of study of this paper, is interesting in this respect. Before the Whites came Kalombo, younger brother of Mwasula, who was the father of the notorious Mponda, was an insignificant character. Just before the

8:Mitchell E-8 (1946-1947) 1949
[P.1458] FT7 Yao FT7

III. The Entry OF THE WHITES

175 British started actively to pacify the country, the
● 648 sons of Mponda were at war with each other and Cingwalungwalu was on the way to dominating the whole of the west of the Shire River bank above the Murchison falls. After the British had demonstrated their efficiency by a few attacks on some of Nkata's forces, Kalembo approached the British leader and complained of the war in his territory. The British forces accordingly attacked and destroyed Cingwalungwalu's forces thereby leaving the way open for Kalembo to establish himself under the British wing as an important chief of the west bank of Lake Malombe. Amongst the chieftancies studied in this paper there appeared to have been no direct use of the British military forces in internal politics.[1] The Whites in this way immediately became a factor in tribal political organization. First of all some chiefs endeavoured to use the military force of the Whites directly in their tribal politics. Later on as military actions came to an end the power of the Whites continued to be tapped by chiefs and other personalities in the political structure in order to manipulate the tribal political set-up to their own advantage. In the main the power of the British Administration though still an active agent in tribal politics is now present as an abstract and invisible but nonetheless potent force. How this is done to-day I hope to be able to show by an analysis of the interaction of chiefs, African civil servants and village headmen.

101 As a foundation to this view of Yao politics,
175 the detailed history of the three chieftains Ka-
619 winga, Liwonde and Nyambi is illuminating.
643 Kawinga, Liwonde and Nyambi all belong to the same division of the Yao tribe, i.e. Maciinga. There are about nine such divisions but only four are to be found in Nyasaland. The Acisi live near the Portuguese East African border in the Port Johnstone area (Katuli's area) and the

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7

[P. 145C]

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[1] There is some evidence that Mpama the son of Lwemde may have helped the British forces to subdue a neighbouring chief, Cambo the son of Kawinga.

8:Mitchell E-5 (1945-1947) 1949
[P.146B] FT7 Tao FT7

643 551 175 [601]

mon ancestress. The first Kawinga and the first Liwonde were maternal brothers and to this day Kawinga and Liwonde call each other "brother". Nyambi however was a sister's son of an early leader Mkumba who was the father of Nkata, and their clan-name was *amilani*. Nkata therefore called Nyambi "father".[3] Nkata was the first to move into Nyasaland and Mkumba and Nyambi followed afterwards. Later the Nkata name was dropped and an Arabic name Zarafi, corrupted to Jalasi, was substituted. Hence the present Jalasi calls the present Nyambi "father". Kawinga and Liwonde both call Nyambi *akamu*, or brother-in-law, *it is said* because one of the early Nyambi's married a woman who bore the clan-name of *amilani*.

643 175 648

The groups under Kawinga and Nkata entered Nyasaland and gradually expanded until Jalasi, as he became known, dominated the area around Mount Mangoce in the present Fort Johnston District, and Kawinga, safely ensconced on Mount Cikala, dominated most of the area north of this point. Jalasi, Kawinga and Liwonde were heavily defeated by British forces in 1895-6 and driven out of British Territory. Later on they were allowed to return after they had been ordered to surrender and effectively disarmed. When they had returned, the chiefs were virtually ignored and as far as can be ascertained the effect of the British government was to destroy the power of the chiefs and substitute the system of British administration for theirs. Nevertheless, it is apparent from entries in the District Book that even though it were not the official policy, the administering officers considered it important that the chiefs should maintain some power. Thus when Kawinga III died in August 1905 the District Book records: "There were two claimants to the succession, Kumbemba and Chiwalo. Their claims were really very equal and H. M. Commissioner (April 1906) called in Kumbemba and the most important headmen and decided the succession by their vote." The

8:Mitchell E-5 (1946-1947) 1949
[P.147A] FT7 Yao FT7

report goes on to say that the newly elected chief Kumlomba "had been mad once and still has a weak looking face and is a weak man. He has no real influence with his people and is ruled by his young men's advice. He means well but does not act on his own ideas sufficiently."[1] This comment shows that even though the Administration may have acted on this occasion for the preservation of peace, to the Yao it seemed to be approving their indigenous institution in appointing the successor. Informants say that when Kawinga IV died in 1913 his successor Chisalo, who was the unsuccessful claimant of the report in the District Book, was able to succeed to the name against some Yao opposition, because of his influence with the administration.

As early as 1903, only seven years after the last military action was taken against a Yao group, the position of the defeated chiefs in the new political structure was being considered. Thus the Report of the Protectorate 1903–1904 reads: "A somewhat difficult question for consideration is the extent of power which should be allowed to native chiefs. Before British influence was established a chief had unlimited powers of life and death, and was able to keep his people in order. He did so not by kindness, but through fear. At the present day, when chiefs are not allowed to use any of their old methods, the people formerly subject to them often refuse to obey or to take any notice of their directions. The tendency is for the old large communities to be broken up: for the small man to collect a surrounding of friends and go off and build new dambos in other localities. There are very few chiefs in British Central Africa who are of great assistance to the Magistrate so far as judicial work goes. There are, of course, notable exceptions, but as a rule it is not safe to give any power to native headmen."[2] I feel that the view of chieftainship expressed in this report is erroneous and that the chief was never as powerful over all his subjects as the 1903 administration assumed. Also the break-up of large communities,

8:Mitchell E-5 (1946-1947) 1949
[P.147B] FT7 Yao FT7

643 I feel, was not due to a break-up of the chief's
175 power but rather to a breakdown of domestic
648 slavery and the system of sanctions that lay behind it, thereby freeing slaves who started setting up their own homesteads. It illustrates that the social system was fundamentally disturbed by the changes wrought by British domination as early as 1903.

643 This process continued until the Administration
622 saw fit in 1912 to introduce legislation to prevent
175 further splitting up of communities and to give
648 a certain amount of power to "paid native local authorities . . . who shall be responsible to the District Residents for the good order and administration of their villages or areas." [8] Hence with the passing of the District Administration (Natives) Ordinance 1912, the Administration began to recognize the indigenous political functionaries and to absorb them into the general political machinery of the Territory. In this Ordinance, village headmen were recognized as possessing a certain amount of power over the people who lived in their villages. Amongst the village headmen one was to be recognized as a Principal Village Headman. The Ordinance made it clear that the position of the Principal Village Headman was in no way to be regarded as similar to the old tribal position of chief. Though the Ordinance further warned that persons who were formerly chiefs were not necessarily to be appointed Principal Headmen, it should be noted that many Principal Headmen were in fact such people. Thus, in 1912, the leadership position of certain headmen in the Territory, though always recognized by the Africans themselves before that date, was further officially recognized and they were given specific powers by the British. "Residents were to indicate carefully by their attitude towards, and dealings with, Principal Headmen the fact that they were officially recognized as chiefs in their respective sections and that, as such, they were entitled to the respect and obedience of their people." [9] Nevertheless it was planned to have a structure

[text continues top of p.148A]

8:Mitchell E-5 (1946-1947) 1949 FT7 Yao FT7
[P.147C]

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[illegible]: Recorded in the District Bank or the District Commissioner's Office in Zambia.
[illegible]: Annual Report of the Treasury 1953-4 quoted in S. S. Mehmet, Handbook of Nyasaland, (London: 1958), p. 128. [illegible] S. S. Mehmet (1958). [illegible] S. S. Mehmet (1958), p. 130.

643 622 175 648 in which the District Commissioner would be the real authority with the Principal Headmen as his subordinates, to carry out certain well-defined duties under his instructions. The Principal Headmen were expected to assist in the concentration of the huts in accordance with the new regulations concerning village headmen and the villages they controlled. Measures for the sanitation in the villages, sweeping and cleaning of villages, the construction of refuse-pits and latrines, were included in the Ordinance and the responsibility for this devolved upon the headmen. Village headmen were also expected to report crimes, abnormal illnesses and deaths, and so on. A clause specifically stated that no power to hear

[TEXT CONTINUES TOP OF P.149B]

IV. THE PRESENT POSITION

643 175 648 131 In order to illustrate the structure of the political divisions with which we are dealing, I shall outline the make-up of the three districts under the Native Authorities Kawinga, Liwonde and Nyambi (see accompanying map).

It will be recalled that Kawinga and Liwonde trace their descent from a single ancestress three generations back from the present Kawinga and five generations back from the present Liwonde. The groups under the leadership of these two brothers Liwonde I and Kawinga I, entered Nyasaland in the early part of the nineteenth century and after various campaigns in Mount Mangoche area migrated across the Shire River at Mvera and took up their position on Kaogwa hill. Here the second Kawinga died. Shortly after this the groups were displaced by Ngoni raids and they recrossed the Shire River and moved southwards to displace another Yao chief, Malemia, from Mount Chiradzulu (near Zomba), which stronghold Kawinga held until they were displaced by the British attacks in 1895. Liwonde at first occupied the neighbouring range Canni but soon moved down to the Shire River. He too was displaced by British attacks and fled with Ka-

[TEXT CONTINUES MIDDLE OF P.149B]

S.SOUTHALL E-5 (1968-1947) 1949
[F.1498] FT? Yao FT?

and determine petty native cases was conferred upon the headmen, though the District Commissioner was supposed to seek their advice when necessary.

Therefore, from the time of conquest a pattern of superordination of the Whites and subordination of the Africans was established and the indigenous political systems remained largely without official recognition until the Native Authorities Ordinance was passed in 1933. The major change wrought by this Ordinance was that Native Courts were planned and instituted by the Native Courts Ordinance of the same year. At the same time a Native Treasury was founded.

IV. The Present Position

wings to Portuguese East Africa. They were allowed to return later and they took up their positions in an area roughly outlined in the early part of this paper. At the same time, owing to military action by the Portuguese a certain number of refugees were crossing the border into the Lake Chota area of Nyasaland.

TABLE I

Demographic Composition of Political Areas[1]

Sub. Area	Tot. Pop.	Admin. Offs.	Av. Pop. per Admin. Offr.	Tribal Composition
N.A. Kawinga (Tonga)	23,087	311	74	[illegible]
S.N.A. Cantine (Tonga)	5,119	61	84	72 20 7 1
S.N.A. Mpeta (Tonga)	4,411	60	74	69 19 12 —
S.N.A. Chinyalo (Tonga)	2,202	19	116	80 15 5 —
S.N.A. Ngokwe (Ngoni)	2,868	21	136	14 43 40 3
S.N.A. Chikowa (Ngoni)	7,102	49	145	28 36 36 —
N.A. Liwonde (Tonga)	12,716	106	120	75 20 5 —
N.A. Nyasa (Tonga)	5,555	47	114	77 27 — —

563 to be initiated according to the Yao custom (*lupunde*). In general, the Nguru headmen are village headmen in the same way as the Yao are and they follow the same pattern in political behaviour.

563 621 At the moment, throughout the area, the various tribal groups live in kinship clusters so that under one Yao administrative headman there may be two or three unrelated Yao kin-groups and possibly one or two Nguru groups living quite separately. Though the population in the area as a whole is mixed, usually the village groups are tribally homogeneous. So far little inter-marriage has taken place. I shall not here analyse this situation, though it is politically pregnant. In many ways the Nguru immigrants [711] are more progressive than the Yao. Most Yao in this area are professed Moslems and do not attend the local schools which are Christian. However, the missions have been more successful among the Nguru and they are becoming more educated and advanced. A good proportion of the Government posts in the area is filled by Nguru for this reason. This is most significant in the context of the general situation as will become apparent in the description below. For the rest of the paper I shall consider the political structure as I see it, in terms of the social personalities in the structure, and the presence of these non-Yao groups is implicit in the rest of this analysis.

V. The Political Structure

449 462 177 The Administration has persuaded the chief to pass and the full significance of which lies in a system of European values. Their systems of values are foreign to each other in many features. Opposition between the two groups, White and Black, must arise if their behaviour is affected by different sets of values. The Yao, for example, believe that most deaths are caused by sorcery and claim the right to take punitive measures against the sorcerer. The Whites do not believe in this and prevent punitive action against people

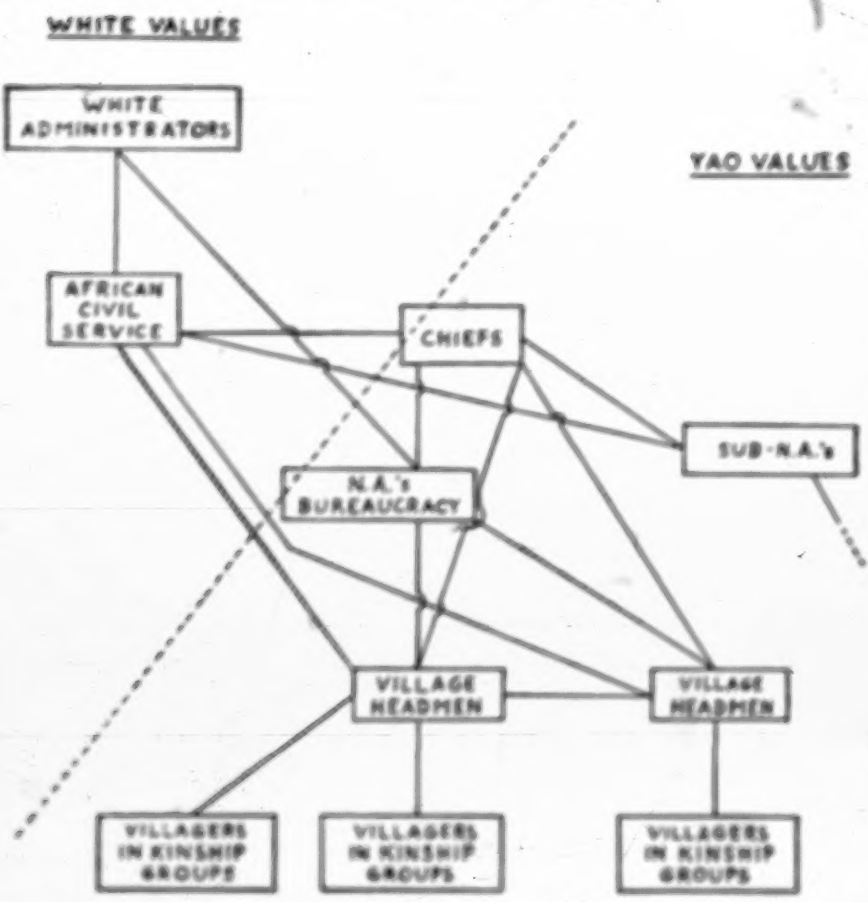
B:Mitchell E-5 (1946-1947) 1949 FT7 Tao FT7

[P.152]

DIAGRAM

SUMMARY OF POLITICAL INTERACTION IN TAO AREAS

648
642
177



(Only the main lines of interaction are included in this diagram.)

who are, to them, innocent. The diagram has been divided obliquely to represent these two systems or fields of values. The division of the diagram into two parts depicts a major rift in local political relationships. While some political relationships, as say between village headmen, do not directly manifest this cleavage, in most, as say the chief with his subjects, though the Whites are not present in person, they are there in the context of the interaction. This will become evident as the analysis proceeds, but at this point it is sufficient to observe that the Whites and the White system of values are an integral part of the modern Yao political organization.

In addition to this, there is a hierarchy of status roughly conforming to the placing of the social personalities in the diagram, i.e., the White Administrator is of higher status than the African Civil Service which is roughly on the same level as the chiefs, but both are on a higher status than the Native Authority's clerk and officials are. The lines represent the main direction of interaction.

1. *The White Administrator and the African Civil Service.*

By the White Administrator I mean the District Commissioner, Agricultural Officers and other Government officials who come into contact with the African populations, particularly in the rural areas. The social distance between a White person in general and the Africans is much larger than that between, say, an African chief and his commoner subject. Social interaction on an intimate basis cannot take place between chief and Administrator mainly because their relationship is dominated by the pattern of all South African territories, where White does not interact intimately with Black. I have already stated that not many Europeans come into the area. Those Whites that do come into the area are immediately accorded the status of an Administrative Officer and are apt to be thought of as such, though they may not be so. The Yao clearly recognizes that the Labour Recruiter is a different sort of person from the Missionary and both differ from District Commissioners, but

R.Mitchell R-5 (1945-1947) 1963
[P.1536] FT? Yao FT?

nevertheless the type of behaviour which is normal between Labour Recruiter and African is dictated by the pattern of behaviour of Africans to Administrator. The Yao find it extremely difficult to separate out their attitudes to these different types of social personalities and the main reason is that they tend to categorise all White people into a general class "Whites" of whom the most common representative to them is the Administrator.

It is, however, impossible to consider the Administrator without reference to the African Civil Service. I am using this phrase to mean those Africans who are in constant and direct interaction with the Administrator. I include the clerks, interpreters, messengers, policemen, and other intermediaries between the Administrator himself and the people. Probably of major importance is the interpreter who speaks directly to the people on behalf of the Administrator. In Southern Nyasaland the official language is Nyanja and officials are expected to learn it for their official business. Some of the Yao men in the area under study can understand and speak Nyanja but some men cannot and certainly most women cannot do so. Therefore, the tendency is for the Administrators to make use of interpreters in dealings with the Yao and other peoples in the area. The Administrators do not interact directly with various social personalities but do so either through either their own civil service or through the N.A.'s Bureaucracy who, being educated, are able to speak and understand the official language. The Administrators are in direct interaction with their own Civil Service and only in indirect interaction with the other social personalities in the political structure.

The African Civil Service stands for a set of White values and for this reason is placed in the "Whites Values" part of the diagram. The African Civil servant represents the District Commissioner or Agricultural Officer to the tribesmen. The Yao Clerk, while he is collecting taxes, is part of the system of the Administration. The Agricultural Captain (African official) represents the Agricultural Officer to the villages when he instructs him in the building of contour ridges.

I [See p.15 — Analyst]

647 Therefore the African Civil Service has behind it the very powerful arm of sanctions of the Administration, both legal and eventually military, so that it is possible for a young Agricultural Demonstrator to resist a chief and be impertinent to him. The Demonstrator acting thus knows that he has the force of the White Administration behind him. He knows that he is able to report to the Agricultural Officer if the chief refuses to carry out instructions. The African Civil Service too, are outside the reach of the chief's power of punishment save where sanctioned by law. It was possible for a certain clerk of the District Commissioner while on tour, to sleep with the divorced wife of the chief—a thing which no villager would have dared to do for fear of the wrath of the chief. The African Civil Service is also the correct channel of approach to an Administrator. Should a villager wish to see the District Commissioner he must first approach the messengers and interpreters before they are taken to the District Commissioner. The strong position of the African Civil Service in the situation is quite obvious.

648 The Administrator, through the mediation of his African Civil Service, interacts with the chief, the village headmen, and the villagers in different situations. Probably in all, the greater part of the Administrator's role of tribal Africans is spent in interaction with the chief. This interaction is occasioned by their respective positions in the political structure. The Administrator may discuss with the chief such things as the Treasury, the general food situation, the court cases, some unsatisfactory features of the chief's administration. The Administrator may interact with village headmen in the same sort of way over specific points of common interest. The Agricultural Officer may supervise the village headmen for the existence of some mound-gardens in some of the village gardens, the District Commissioner upbraid him on the general state of disrepair in the village. Finally, the villagers may approach the

649 District Commissioner on specific points. These points refer to some particular work of the Administration of which the District Commissioner is a representative. A villager may make enquiries about army gratuities, about tax exemptions, about the administration of estates of relatives who have died in Southern Rhodesia, etc. In general we may say that the interaction between the people on one hand and the Administration on the other takes place largely in terms of an overlapping field of interest, which the tribesmen see as a part of the White system of values but to which they do not fully subscribe.

2. *The Chiefs and their Bureaucracies*

643 The chiefs and their bureaucracies stand in
645 a peculiar position in the political structure.
649 They are, as it were, the bridge between the indigenous political machinery activated by a system of indigenous values, subscribed to by chief and commoner alike, and the White Administration on the other hand. To the people, the chief and his bureaucracy represent the White Administration to them since it is through this set of institutions that the regulations are administered. The N.A.'s bureaucracy collects the poll taxes,[1] dogs, guns, canoes, etc., supervises the construction of latrines, etc., and the chief punishes the people for breaches of regulations (not tax defaulters) which to the tribesmen are part of the White Administration. At the same time the chief is their representative to the District Commissioner and when the District Commissioner speaks to the chief he is in effect speaking to the people. From the point of view of the Administration he is in exactly the same interjacent position: he is both their representative to the people and the people's representative to the Administration. Accordingly the oblique line in the diagram passes through the rectangles marked 'chief' and N.A.'s Bureaucracy'.

The chief has lost many of the attributes of status that he had in the early days. No longer

643 does he monopolize the trade to the court. To-
645 day the goods are brought in by Indian traders
648 and are bought for cash by the African tobacco
growers and the returned labour migrants.
He can no longer use his slaves to increase his
wealth by capturing yet other slaves. Nowadays
his salary is insufficient for his own requirements
and he can no longer make the gifts that he used
to, to the village headmen and councillors.
Councillors (i.e. the whom are necessarily offi-
cially recognized by the Administration) complain
that, though they are not paid they nevertheless
have to do much of the work that the District
Commissioner expects the chief to do. The
chief himself is generally too poor to pay them
though some do in fact privately remunerate
certain of their unrecognized councillors. The
643 chief is still expected to give a burial cloth
649 when an important headman dies, and to make
651 a gift to a headman when he succeeds to a name,
but his tribute of food and ivory has ceased.
The people look upon the taxes they pay to the
Administration and the licences that are paid
to the chief's court as substitute for the chief's
tribute. One informant explained that no longer
is it necessary to send a pot of beer to the chief
when beer is brewed, because nowadays a sixpenny
licence must be taken out from the court for each
brew for sale. He looked upon the licence (de-
signed by the Administration as a measure to
counter excessive brewing and paid into the Native
Treasury and not to the chief) as a modern sub-
stitute.

643 Nevertheless, it appears that the chiefs do
manage to live at a higher standard than most
of their subjects. They usually appear to be dressed
more finely and seem to have larger wardrobes.
Most have brick dwelling houses and rather more
furniture than the average commoner. Nearly
all have shot-guns and some have rifles. This
is largely possible because the salaries are regularly
paid even if they are low, and because many of
the former obligations have fallen away. No longer
do the chiefs entertain on so lavish a scale.

693
687 duties which the court messenger used to in past days. The correct channel of approach to the chief now is through the court sergeant.

In most situations where the chief's orders are to be carried out, the various members of his bureaucracy execute them. For example, when the chief wants some duty to be performed by the villagers, it is the court sergeant or messenger who sees to it. The messengers carry out the instructions and wishes of the chief to all parts of his territory. To the villagers, therefore, the N.A.'s bureaucracy represent the chief when acting as his agent but they also represent the White Administration because much of their interaction with the villagers is in terms of some regulations based upon White values. The court clerk who apprehends a villager and charges him with being in possession of an unlicensed dog is acting, in the eyes of the villager, not so much as an agent of the chief, but rather as an agent of the chief representing the Administration. The territory inspector may explain to the man who has been charged with having no licence, "It is the law that you should have one", and by this he means the White law.

3. The Position of the Subordinate Native Authorities

693 I have not yet considered the position of the
687 N.A.'s in the structure. In the diagram[3] they are represented as a separate hierarchical system. The reason why they have been represented thus, is because the N.N.A.'s regard themselves as autonomous units and in no way an integral part of the main hierarchical system under a chief. Each N.N.A. has his own sub-court and a small bureaucracy of his own. He sets up a replica of the situation under the chief. Each N.N.A. has the insignia of rank that the chief has; he is given the same greeting; wears the red head ornament his head; holds initiation ceremonies, etc. Each N.N.A. has the duty of making a sacrifice to the ancestors before and after the rains. A recent theft of a sacrificial cloth hung on a tree-shrine in a N.N.A.'s area was held to endanger the rainfall in that area alone. The chief in the area makes use of his position in the structure in relation to the Administration to bring pressure

3. [See p. 152. —Analyst]

R Mitchell B-5 (1940-1947) 1948
[P.159A] FT? See FT?

to bear on his sub-chiefs. For example, when one sub-chief mishandled a prisoner, the chief did not feel himself to be in a position to reprimand the sub-chief. He reported the matter to the District Commissioner. Another had expressed displeasure at the conviviality of the sub-chief with an Ngoni man. He had given instructions that the one Ngoni with whom the sub-chief was on intimate terms, should be beaten if found together with the sub-chief again. The sub-chief merely countermanded the ruling and nothing further was done about it. When one of the chiefs was to be given a medal by the Governor it was only with great difficulty that the sub-chiefs could be induced to attend the ceremony. One of the sub-chiefs said: "Why should my hon get more walking to his capital? He's getting the medal, not me". The Native Authority of his own account has not sufficient authority to reprimand a N.A. and where this must be done he must call in the District Commissioner to do it.

4. The Village Headmen and the Villagers

A District Commissioner once referred to the village headmen as "the basic component of the political system—doing all the work and getting all the kicks". This description is an illuminating one. The population in the area is distributed in hamlets of mainly matrilineal kinsmen usually composed of a man and his female matrilineal relatives and spouses (see p. 142). The male leader of this group I call a village headman but this should not be confused with the social personality here called the Administrative village headman. For purposes of the Administration, villages and hamlets are grouped under officially recognized and remunerated village headmen. Administrative village headmen usually have some local standing. Some have the right to wear the red band which distinguishes rank, some have the right to conduct initiation ceremonies for both boys and girls, they are all given the greeting current for people of some rank, they are referred to by a term which signifies both the chief and the village headman (*mwenye*).

The administrative village headman has certain duties which he must perform in respect of his

10: Barnes E-5 (1946-1949) 1959
FRS Ngoni FRS
Mpezeni
Yao FT7

The Yao are mentioned more than any other tribe, and some of the decisions taken by the courts are harsh on Yao. For example, a Yao man who was married to an Ngoni woman had, it was alleged, caught venereal disease from his wife. His wife then applied to the courts for a divorce, which was granted, together with the custody of the children. No bride-wealth had been paid in the marriage, but the husband now offered to pay in order to retain the children. This bride-wealth was refused by the woman's parents. The Yao appealed, but the judgement was upheld, and in addition he was ordered to go back to Nyasaland at once. He asked for permission to return to the woman's village in order to collect his belongings, and this was granted by the court, after first securing agreement between the couple as to the extent of his possessions, to wit, four pieces and two beds. This deportation order was made despite the fact that the Yao had been living with his wife for twenty-one years. If a man of some other tribe had been involved, it is unlikely that he would have been ordered to leave the country, nor would the court have been so suspicious of his trying to take away more than his rightful share of the household possessions.

A Yao, who had a good job in Port Jameson, once offered 300 to the Paramount Chief when he was in the town on the legitimation payment for a woman of the royal lineage whom he wished to marry. The Paramount Chief refused the money on the ground that the man was a Yao and he was not going to permit Yao to marry into the royal lineage, despite the payment of one of his lieutenants that the Yao was just a man like anyone else.

The reason that is given for the dislike of Yao is that they are usually very virile, due to the medicines that they possess for increasing potency. It is perhaps significant that the name is said of ladies, who are also disliked. The Yao are known among the Ngoni for their great knowledge of medicines of all kinds, and the allegation of unnatural sexual vigour may be a rationalization of the fear that the Yao may practise sorcery among the families into which they marry. Another factor that may operate is that the Yao are the only tribe in the region that the Ngoni cannot claim to have conquered.

Political Relations with Other Tribes

Before the European conquest relations between the Ngoni and other tribes were principally those of raiders and raided. The great season for raiding was after the harvest, when the surrounding tribes